

**BEFORE THE STATE ETHICS COMMISSION
STATE OF GEORGIA**

IN THE MATTER OF:

Elaine Lucas

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CASE NO.

2010-0016

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission), pursuant to a Complaint filed on January 26, 2010, alleging violations of the Ethics in Government Act (Act). Respondent waived her right to a preliminary hearing on August 17, 2010. Now, prior to an Administrative Procedure Act hearing, Respondent and the Commission agree to resolve this matter by way of Consent Order (Order).

FINDINGS OF FACT

Respondent is a City Council Member of the City of Macon, Georgia (the "City"). On January 7, 2010, Respondent requested that a City clerk distribute by email and other means information regarding a "campaign support party" for gubernatorial candidate Roy Barnes.

CONCLUSIONS OF LAW

Use of the City's personnel, email system and computer equipment to promote a campaign event is a violation of O.C.G.A. § 21-5-30.2 as it amounts to a contribution by a public agency to a candidate's campaign.

SANCTION

The Respondent is hereby ordered and agrees to pay a total civil penalty of \$250 due within thirty (30) days of the date of this Consent Order.

AGREEMENT

Respondent represents that the foregoing findings of fact are true, agrees to the conclusions of law, and further agrees to abide by all terms herein. By signing this Order, Respondent waives any right to an appeal pursuant to the procedures outlined in O.C.G.A. § 50-13-1, *et seq.* Failure to comply with the terms herein absent good faith attempts to comply will constitute a willful and knowing violation of said terms by the Respondent. Respondent's failure to comply with the terms herein shall constitute a breach of this agreement and thereby authorize the Commission to seek an enforcement action against the Respondent. The parties agree that all costs and attorney fees incurred by the Commission in an enforcement action shall be assessed against the Respondent pursuant to O.C.G.A. § 21-5-6(b)(14)(C).

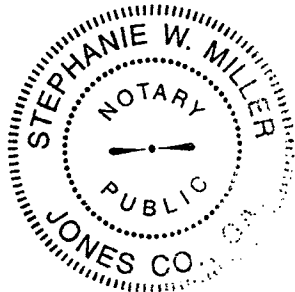
The Commission adopts the foregoing statements and conclusions as the Commission's findings of fact and conclusions of law, and orders the implementation of the terms of this Consent Order.

PRESENTED BY

Stacey Kalberman
Stacey Kalberman
Executive Secretary

RESPONDENT

Elaine Lucas
Elaine Lucas



Signatures attested to on this 28 day
of June, 2010.

By: Stephanie W. Miller

My Commission Expires January 24, 2012

SO ORDERED this 17th day of August, 2010.

STATE ETHICS COMMISSION

By: James Gatewood
James Gatewood
Chairman